

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK
Rochester Division

Donna McKay,

Plaintiff

vs.

State of New York,

Defendant

**REPLY TO
CROSS-MOTION**

Civil No.: 6:16-cv-06834

Plaintiff, through her Counsel, respectfully replies to the Cross-Motion of the Plaintiff
(dated May 12, 2017), as follows:

1. Repeating her request for an Order denying the Defendant's Motion (dated March 7, 2017) [7];
2. Repeating her request for an Order granting the Plaintiff's Cross-Motion (dated May 12, 2017) [10];
3. Leave to subsequently update the requested attorney's fees and costs to reflect the additional work through the date of entry of the Court's order on this point;
4. An order permitting the submission of a 12-page Reply Memorandum of Law, granting relief from the 10-page reply memorandum limit imposed under L.R.Civ.P. 7(a)(2)(C);

5. For leave to amend the Plaintiff's Complaint [1] to cure any deficiency that may be identified by the Court through this motion sequence;
6. For leave to respond to any request for further briefing made by the Court and/or to participate in oral arguments pursuant to L.R.Civ.P. 7(c), as may be requested by the Court;
7. For such other, further, and different relief as to this Court is warranted.

The facts and law supporting this Reply are set forth in the accompanying Declaration of the Plaintiff (dated July 14, 2017), L.R.Civ.P. 56 Statement (dated July 14, 2017), Memorandum of Law of the Plaintiff (dated July 14, 2017), and the Exhibits attached hereto.

Dated: July 14, 2017

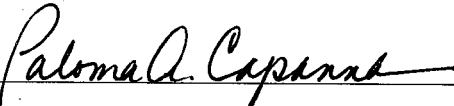
Respectfully submitted,



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CERTIFICATION

I hereby certify that on July 14, 2017 a copy of the foregoing REPLY OF THE PLAINTIFF with accompanying documents was filed electronically. Said documents were not required to be served by mail upon anyone unable to accept electronic filing. Notice of this filing was/will be sent via e-mail to all Parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.



Paloma A. Capanna, Attorney